A Citizen's Guide to **Environmental Assessment**

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NOVA SCOTIA
Environment and Labour
Environmental and Natural Areas Management Division
Environmental Assessment Branch

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INTRODUCTION

Nova Scotians place a high value on their environment and have an interest in ensuring developments do not create harmful environmental impacts. The people of Nova Scotia want to participate in decision-making regarding these developments.

In 1989, environmental assessment was developed as an environmental management tool to allow for the consideration of public concerns relating to broad environmental issues when evaluating proposed developments. Environmental assessment ensures that environmental, human health, socio-economic, cultural, historical, archaeological and architectural concerns from all stakeholders are identified and addressed at the earliest stage of development planning. Through consideration of these broad environmental issues and public concerns, the Minister of Environment and Labour decides whether or not the development can proceed in an environmentally sustainable manner.

Environmental assessment is used in every province and territory in Canada and in many countries world-wide. It is a tool which promotes good project planning, thereby avoiding or minimizing environmental impacts caused by a development. It also allows developments to incorporate environmental considerations at the planning stage, which may avoid expensive changes once the project design has been finalized.

The Nova Scotia *Environment Act* (Appendix A) and *Environmental Assessment Regulations* provide the legislative framework for environmental assessment that includes opportunities for public involvement. The Act and regulations are administered by Nova Scotia Environment and Labour through the Environmental Assessment Administrator, who is appointed by the Minister.

The Act and regulations are designed to identify the environmental impacts associated with designated development proposals (undertakings) long before the proposals are implemented. Environmental assessment gives government agencies, non-government organizations (NGOs), First Nations, local residents and the general public an opportunity to provide information that will be considered by the Minister when making a decision. Contributions from these groups are essential for environmental assessment to be successful. In addition, in certain circumstances, special consultations may be held with First Nations.

An environmental assessment can apply to undertakings by corporations and businesses of all sizes, municipalities, community groups, government departments and agencies, institutions, and individuals. It is vitally important, therefore, that everyone involved understand the Act and regulations governing environmental assessment.

This guide to the Act and regulations presents a concise overview of environmental assessment in Nova Scotia. This guide is not a legal authority and is not a substitute for the Act and regulations. Where the process and time frames given in this document differ from the regulations, the regulations shall prevail. For definitive reference, please refer to the official copies of the Act and regulations.

If you would like further information, please visit the Environmental Assessment Branch website at www.gov.ns.ca/enla/ess/ea, or contact the us by phone at (902) 424-2574, by fax at (902) 424-0503, by email at EA@gov.ns.ca, or by mail at the following address:

Environmental Assessment Branch
Nova Scotia Environment and Labour
PO Box 697
Halifax, Nova Scotia
B3J 2T8

ENVIRONMENTAL ASSESSMENT

Definition and Purpose

Environmental assessment is a tool through which the environmental effects of an undertaking are predicted and evaluated, and a subsequent decision is made on the acceptability of the undertaking.

The purpose of environmental assessment is to promote sustainable development by protecting and conserving the environment. Environmental assessment promotes better project planning by identifying and assessing possible adverse effects on the environment before a new undertaking begins. This is accomplished by involving members of the public along with various government departments and agencies throughout the review of a proposed undertaking.

When discussing environmental assessment, it is important not to confuse it with another common practice called environmental site assessment. Where environmental assessment determines before a project begins if there will be any adverse environmental impacts, an environmental site assessment determines whether a particular property is or may be subject to contamination as a result of previous land uses. This type of assessment is usually requested by lending agencies (e.g. banks, etc.), sellers and buyers of property to ensure there is no liability associated with a property.

Environmental Assessment Branch

The Environmental Assessment Branch (EA Branch) promotes good project planning and sustainable development through the coordination and administration of environmental assessment in Nova Scotia as set out in the *Environmental Assessment Regulations*.

The EA Branch continually interacts with industry, various interest groups, First Nations, government departments and the general public to ensure that environmental assessment is open, transparent, accountable and effective. The EA Branch also works to harmonize environmental assessment in Nova Scotia with those of other jurisdictions when necessary.

At the initial stages of project development, the EA Branch works with proponents in identifying and addressing environmental concerns. After considering all of the information compiled through a public review, the EA Branch makes recommendations to the Minister regarding the proposed project. A follow-up procedure is carried out with

the proponent for those developments that are approved to proceed.

Public Participation

Public participation is vital to the success of environmental assessment. Involvement from local residents and the general public is important in providing knowledge of local conditions and providing information, which could make a proposed development more acceptable.

A number of opportunities exist prior to and during an environmental assessment where members of the public can contribute. Depending on the level of assessment, public participation can range from involvement during the planning stages of a development, to submitting written comments or making a presentation at a public hearing.

While there is no requirement to involve the public, those people proposing new developments in Nova Scotia often choose to involve the local residents and other members of the public early in the project planning stages to get feedback on environmental concerns associated with that project. When these opportunities exist for public involvement, it is strongly recommended that all local residents and any other affected person provide their input to the developer so that changes can be considered, which will make the project more acceptable. In the past, public involvement has occurred through open house events, newsletters, door-to-door surveys, newspaper advertisements and 1-800 numbers.

Where can I review environmental assessment information?

Once the information has been submitted to the Department, it can be viewed at any one of the following:

- Environmental Assessment Branch website (www.gov.ns.ca/enla/ess/ea)
- One of the two public viewing locations provided by the proponent
- Clean Nova Scotia, 126 Portland Street, Dartmouth, NS
- Ecology Action Centre, Suite 31, 1568 Argyle Street, Halifax, NS
- Nova Scotia Environment and Labour, Local Office (Appendix B)
- Nova Scotia Environment and Labour, 5th Floor Library, 5151 Terminal Road, Halifax, NS

During the actual environmental assessment review, notices will be published in newspapers and on the EA Branch website (www.gov.ns.ca/enla/ess/ea), stating the release of environmental assessment information and inviting members of the public to submit comments.

Concerns expressed by the public about the adverse effects or the environmental effects of a proposed undertaking, and the steps taken by the proponent to address those concerns, will be considered by the Minister when making a decision. Should the Minister approve a proposed development to proceed, your comments may still be incorporated into the conditions of approval, which the proponent must abide by.

To whom should I address my comments?

Comments should be addressed to the Environmental Assessment Branch by phone at (902) 424-2574, by fax at (902) 424-0503, by email at EA@gov.ns.ca, on the EA Branch website at www.gov.ns.ca/enla/ess/ea, or by mail at the following address:

Environmental Assessment Branch
Nova Scotia Department of
Environment and Labour
PO Box 697
Halifax, Nova Scotia
B3J 2T8

Can I review previous environmental assessments?

Yes. Members of the public can review many previous environmental assessments at the Nova Scotia Environment and Labour Library. Please contact the Librarian to make an appointment (Appendix C).

If needed, you can obtain all previous environmental assessments from the Environmental Registry. Please contact the Environmental Registry Coordinator for further information (Appendix C).

A list of completed environmental assessments is available on the EA Branch website at www.gov.ns.ca/enla/ess/ea.

DEVELOPMENTS THAT REQUIRE ENVIRONMENTAL ASSESSMENT

Developments required to undergo an environmental assessment are listed in the *Environmental Assessment Regulations* (Table 1). These developments are called undertakings and are divided into two classes, Class 1 and Class 2.

Class 1 undertakings are usually smaller in scale and may or may not cause significant environmental impacts or be of sufficient concern to the public. A public review of a proponent's initial submission, called a registration document, is required, after which the Minister will decide if a more detailed review and/or public hearings are required. Examples of these types of developments include mines, certain highways and waste dangerous goods handling facilities.

Class 2 undertakings are typically larger in scale and are considered to have the potential to cause significant environmental impacts and concern to the public. These undertakings require an environmental assessment report (EA report) and formal public review which may include hearings. Examples of these types of developments include solid waste incinerators, petrochemical facilities and pulp and paper plants.

How long does it typically take to complete an environmental assessment?

A Class 1 environmental assessment typically takes 25 calendar days of process time to complete. However, the assessment may be extended if the Minister decides that more information, a focus report or an environmental assessment report is required. The amount of time it takes the proponent to prepare the registration document will depend on the complexity of the undertaking and the amount of information already available.

A Class 2 environmental assessment typically takes 275 calendar days of process time to complete, including the 110 days the Environmental Assessment Board has to conduct a public review or hearings. The proponent has up to two years outside of the review time to prepare the environmental assessment report.

The Minister has the authority to apply an environmental assessment to a policy, plan or program, or a modification, extension, abandonment, demolition or rehabilitation to those undertakings listed in Table 1, and any other undertaking not listed as Class 1 or Class 2.

Table 1: Schedule "A"

Category	Class 1
A. Industrial	1. A facility engaged in the production, wholesale storage or wholesale distribution of dangerous goods. 2. A storage facility with a total capacity of over 5000 m^3 intended to hold liquid or gaseous substances including, but not limited to, hydrocarbons or chemicals, but excluding water. 3. A facility for the manufacture of wood products that are pressure treated with chemical products. 4. A facility engaged in producing fish meal. 5. A rendering plant. 6. An onshore pipeline 5 km or more in length excluding a pipeline of any length carrying natural gas with a maximum operating pressure below 500 psig (3450 kPa), water, steam or domestic wastewater.
B. Mining	1. A facility engaged in the extraction or processing of metallic and non-metallic minerals, coal, peat moss, gypsum, limestone, bituminous shale or oil shale. 2. (1) Subject to subsection (2), a pit or quarry in excess of 4 ha in area primarily engaged in the extraction of ordinary stone, building or construction stone, sand, gravel or ordinary soil. (2) (a) The Nova Scotia Department of Transportation and Communications shall ensure that all pits and quarries established solely to provide fill or aggregate for road building or maintenance contracts with the Nova Scotia Department of Transportation and Communications are operated in accordance with all applicable guidelines and regulations. (b) Pits and quarries described by and operated in accordance with clause (2)(a) are not subject to the requirements of this regulation.
C. Transportation	1. The construction of a common and public highway or associated structures which is more than 2 km and less than 10 km in length and is designed for 4 or more lanes of traffic.
D. Energy	1. A transformer station having an energy capacity greater than 230 kilovolts. 2. An electric generating facility which has a production rating of 2 megawatts or more derived from wind energy.
E. Waste Management	1. A permanent commercial facility for the handling of waste dangerous goods.
F. Other	1. A project which involves the transfer of water between drainage basins where the drainage area to be diverted is greater than 1 km^2. 2. An enterprise, activity, project, structure or work which disrupts a total of 2 ha or more of any wetland. 3. Such other undertaking as the Minister may from time to time determine.

Category	Class 2
A. Industrial	1. A facility for the manufacture, processing or reprocessing of radioactive materials. 2. A heavy water plant, pulp mill, paper mill, pulp and paper mill, petrochemical plant, cement plant, oil refinery, metal smelter, lead and battery plant, ferro-alloy plant or non-ferrous metal smelter.
B. Transportation	1. The construction of a common or public highway, or associated structures, which is 10 km or more in length and is designed for 4 or more lanes of traffic.
C. Energy	1. An electric generating facility with a production rating of 10 megawatts or more, including a hydroelectric generating facility when the cumulative power generation capacity on any single river system equals or exceeds 10 megawatts but excluding an electric generating facility of any production rating which uses wind energy as its sole power source. 2. A water reservoir where the designed storage capacity exceeds the mean volume of the natural water body by 10,000,000 m^3 or more. 3. A corridor for one or more electric power transmission lines with a cumulative voltage rating which equals or exceeds 345 kilovolts.
D. Waste Management	1. A facility for the incineration of municipal solid waste.
E. Other	1. Such other undertaking as the Minister may from time to time determine.

Undertakings Exempt from Environmental Assessment

An environmental assessment is not required for the following:

- Nova Scotia Department of Transportation and Public Works (TPW) pits and quarries used solely to provide fill or aggregate for road building and maintenance contracts with TPW;
- routine maintenance or repair of existing facilities;
- policies, plans or programs developed after March 17, 1995, which will not directly or indirectly cause an adverse effect or significant environmental effect; and
- an undertaking that was registered before the *Environmental Assessment Act* (1989) and regulations became law.

CLASS 1 UNDERTAKINGS

Registration

An environmental assessment begins when the proponent of a Class 1 undertaking submits a document called a registration document to the Administrator, which outlines their proposal (Figure 1). Copies of the document are then distributed by the Administrator to various interest groups, First Nations, government departments and various public locations for review. The proponent will also be required to provide an electronic copy to be published on the EA Branch website for public review.

The proponent must place an advertisement in two newspapers, one with circulation in the vicinity of the undertaking and one with province-wide circulation (Figure 2). If there is no newspaper in the vicinity of the undertaking, the advertisement must be posted in a municipal building, post office or other public building in the area. The advertisement will provide information about the undertaking, indicate where the document can be viewed, and invite the public to submit any comments to the Administrator.

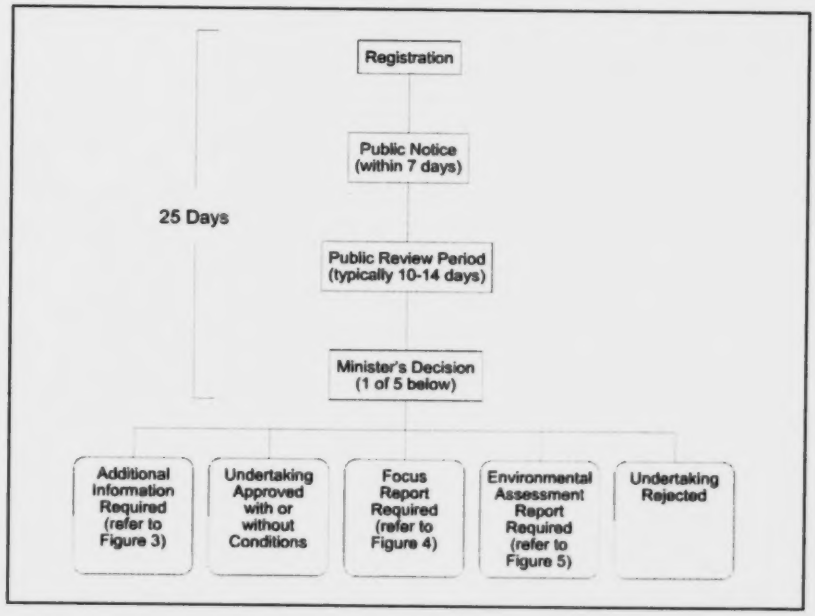
Registration
Public Notice (within 7 days)
25 Days
Public Review Period (typically 10-14 days)
Minister's Decision (1 of 5 below)
Additional Information Required (refer to Figure 3)
Undertaking Approved with or without Conditions
Focus Report Required (refer to Figure 4)
Environmental Assessment Report Required (refer to Figure 5)
Undertaking Rejected

Figure 1: Steps Required During an Environmental Assessment - Class 1

The proponent must establish two viewing locations within the vicinity of the undertaking and supply each with a copy of the registration document. This will ensure that any person living in the local community will have access to the registration information. A typical public viewing location may be a local town office, library, corner store or other public location. The document will also be available for viewing at the nearest Environment and Labour office and at various non-government organizations.

How long is the public review period for the registration document of a Class 1 undertaking?

The public review period usually lasts 10-14 calendar days. Members of the public may phone, fax, email or submit written comments to the EA Branch. The remaining time of the 25 days is required for the EA staff to review comments submitted, respond to inquiries and prepare a report and recommendation for the Minister.

NOTICE

Registration of Undertaking for Environmental Assessment ENVIRONMENT ACT

This is to advise that on March 17, 2001, the ACME Mining Company, registered a Gold Mine for environmental assessment, in accordance with Part IV of the Environment Act.

The purpose of the proposed undertaking is to develop an underground Gold Mine. The proposed mine will be located along Route 11, in Jamestown, NS and will begin operation on January 1, 2002.

Copies of the environmental assessment registration information may be examined at the following locations:

- Jamestown Public Library, 830 River Road, Jamestown, NS
- Ye Old Tea Shop, 17 Main Street, Jamestown, NS
- Clean Nova Scotia, 126 Portland Street Dartmouth, NS
- Ecology Action Centre, Suite 31, 1568 Argyle St., Halifax, NS
- Nova Scotia Department of Environment & Labour, Regional Office
- Nova Scotia Department of Environment & Labour, 5th Floor Library, 5151 Terminal Road, Halifax, NS
- EA Website (when available) at www.gov.ns.ca/enla/ess/ea

The public is invited to submit written comments to:

Environmental Assessment Branch
Nova Scotia Department of Environment & Labour
P.O. Box 697, Halifax, NS, B3J 2T8

on or before April 4, 2001 or contact the department at (902) 424-2574, (902) 424-0503 (Fax), or e-mail at EA@gov.ns.ca.

All comments received will be placed in the public file located in the library on the fifth floor of the Nova Scotia Department of Environment & Labour, Halifax Office, 5151 Terminal Road.

Published by: ACME Mining Company
123 Mountainview Lane, Jamestown, NS, B5R U7S

Figure 2: Sample of a Public Notice

The Minister's Decision

Within 25 calendar days of receiving the registration document, the Minister must provide the proponent with a decision in writing. The Minister must decide one of the following: a) additional information required; b) undertaking is approved; c) undertaking is rejected; d) focus report required; or e) environmental assessment report required.

Can I appeal an environmental assessment decision?

Under Section 138 of the *Environment Act*, a decision of the Minister to approve or reject an undertaking for environmental assessment cannot be appealed.

What information will be considered by the Minister when making a decision for a Class 1 undertaking?

The Minister will consider the following information when making a decision:

- concerns expressed by the public about the adverse effects or the environmental effects of the proposed undertaking;
- steps taken by the proponent to address environmental concerns expressed by the public;
- the location of the proposed undertaking and the nature and sensitivity of the surrounding area;
- the size and scope of the proposed undertaking;
- potential and known adverse effects or environmental effects of the technology to be used in the proposed undertaking;
- project schedules where applicable;
- planned or existing land use in the area of the undertaking;
- other undertakings in the area; and
- such other information as the Minister may require.

Additional Information Required

Additional information may be required from the proponent if the registration information does not contain sufficient detail to allow the Minister to make a decision. Depending on the information submitted, the Minister may or may not require a public review of the information (Figure 3).

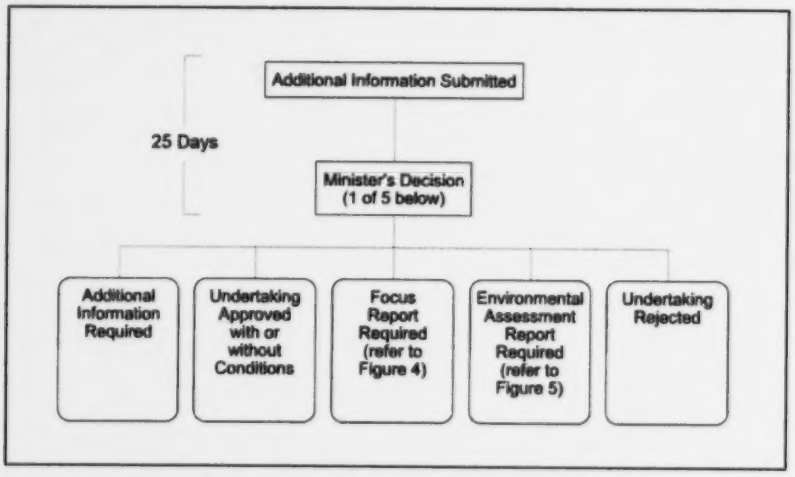
Additional Information Submitted
25 Days
Minister's Decision (1 of 5 below)
Additional Information Required
Undertaking Approved with or without Conditions
Focus Report Required (refer to Figure 4)
Environmental Assessment Report Required (refer to Figure 5)
Undertaking Rejected

Figure 3: Additional Information Required

Approval

Approval is granted either with or without specific terms and conditions, when a review of the registration information indicates that there are no adverse effects or significant environmental effects which may be caused by the undertaking. The terms and conditions lay out the requirements of the proponent during construction, operation and reclamation if necessary, to monitor and mitigate any adverse effects or significant environmental effects.

Rejected

An undertaking is rejected when a review of registration information indicates that the undertaking is likely to cause adverse effects or significant environmental effects, which are unacceptable. The Minister must provide the proponent with written reasons stating why the undertaking is rejected.

Focus Report Required

The Minister may decide that a focus report is required of the proponent when further information is needed to address one or more specific aspects of the proposed project that are unresolved. Once the focus report is submitted, there will be a public review of the report, and the Administrator will prepare a report and recommendation for the Minister to consider when making a decision (Figure 4).

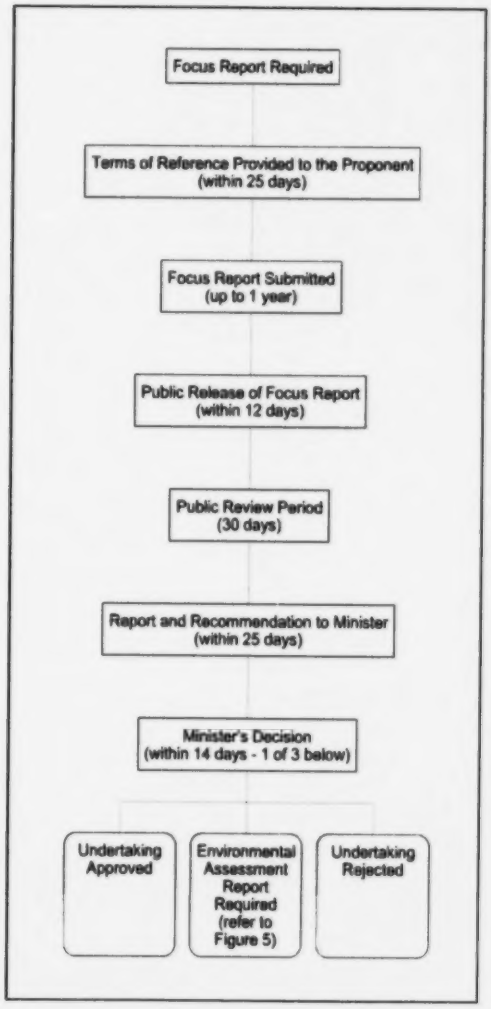
Focus Report Required
Terms of Reference Provided to the Proponent (within 25 days)
Focus Report Submitted (up to 1 year)
Public Release of Focus Report (within 12 days)
Public Review Period (30 days)
Report and Recommendation to Minister (within 25 days)
Minister's Decision (within 14 days - 1 of 3 below)
Undertaking Approved
Environmental Assessment Report Required (refer to Figure 5)
Undertaking Rejected

Figure 4: Focus Report Required

Environmental Assessment Report Required

The Minister may decide that an EA Report is required of the proponent when further information is needed to address several aspects of the proposed project that are unresolved. As a result, further public involvement is required at various stages (Figure 5).

The first opportunity will occur when the Administrator conducts a public review of the registration document and proposed terms of reference to determine what information needs to be included in the EA Report.

The second opportunity will occur once the EA Report has been submitted to the EA Branch. The Minister will then decide if the Administrator will conduct the public review, or if the Environmental Assessment Board will conduct the public review, which may include public hearings.

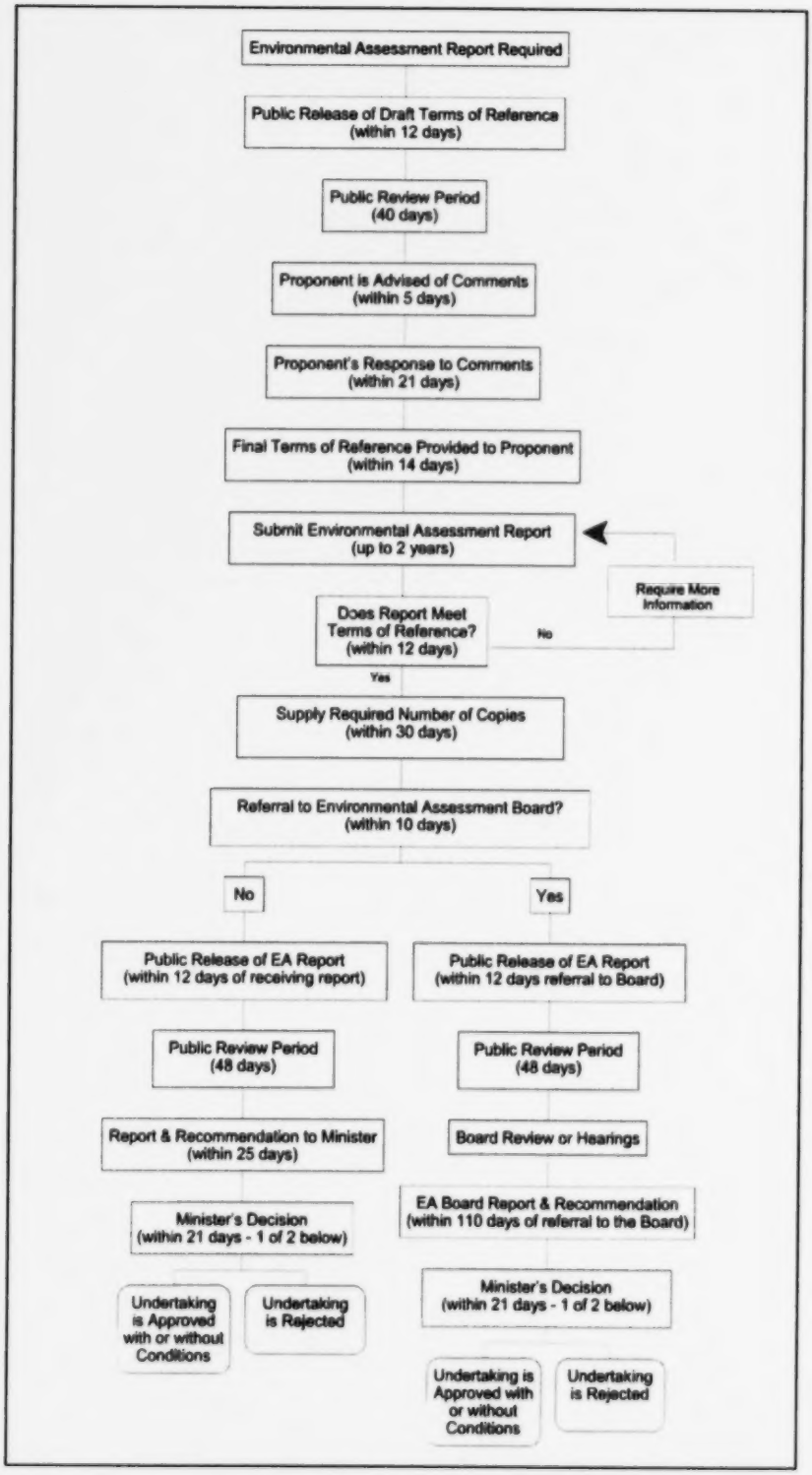
Environmental Assessment Report Required
Public Release of Draft Terms of Reference (within 12 days)
Public Review Period (40 days)
Proponent is Advised of Comments (within 5 days)
Proponent's Response to Comments (within 21 days)
Final Terms of Reference Provided to Proponent (within 14 days)
Submit Environmental Assessment Report (up to 2 years)
Require More Information
Does Report Meet Terms of Reference? (within 12 days)
No
Yes
Supply Required Number of Copies (within 30 days)
Referral to Environmental Assessment Board? (within 10 days)
No
Yes
Public Release of EA Report (within 12 days of receiving report)
Public Release of EA Report (within 12 days referral to Board)
Public Review Period (48 days)
Public Review Period (48 days)
Report & Recommendation to Minister (within 25 days)
Board Review or Hearings
Minister's Decision (within 21 days - 1 of 2 below)
EA Board Report & Recommendation (within 110 days of referral to the Board)
Undertaking is Approved with or without Conditions
Undertaking is Rejected
Minister's Decision (within 21 days - 1 of 2 below)
Undertaking is Approved with or without Conditions
Undertaking is Rejected

Figure 5: Environmental Assessment Report Required

CLASS 2 UNDERTAKINGS

Registration

The environmental assessment begins when the proponent of a Class 2 undertaking submits a registration document to the Administrator, describing the proposed undertaking (Figure 6).

Terms of Reference

For all Class 2 undertakings, the Administrator will prepare a draft terms of reference specifying the issues and concerns to be included in the EA report. The draft terms of reference and registration document will be released for review by members of the public, various interest groups, First Nations and government departments. Comments submitted during the public review period will be considered by the EA Branch when preparing the final terms of reference for the proponent.

How long is the public review period for the draft terms of reference and registration document?

There will be a 40 day public review period once the draft terms of reference has been released to the public. Members of the public may phone, fax, email or submit written comments to the EA Branch.

Advertisements will be published in two newspapers, one with distribution in the vicinity of the undertaking, and the other with province wide distribution. If there is no newspaper in the vicinity of the undertaking, a notice must be placed in the municipal building, post office or other public building. The notice will indicate where copies of the draft terms of reference and registration document can be viewed and invite the public to submit comments to the EA Branch.

Environmental Assessment Report

Following receipt of the final terms of reference, the proponent will have up to two years to prepare and submit the EA report. The report will be reviewed by the EA Branch to ensure that the report is complete. If the report information is not sufficient, the proponent must provide additional information. When the report is complete, the Minister will formally accept the report as being suitable for public review, and it will be referred to the EA Board for review.

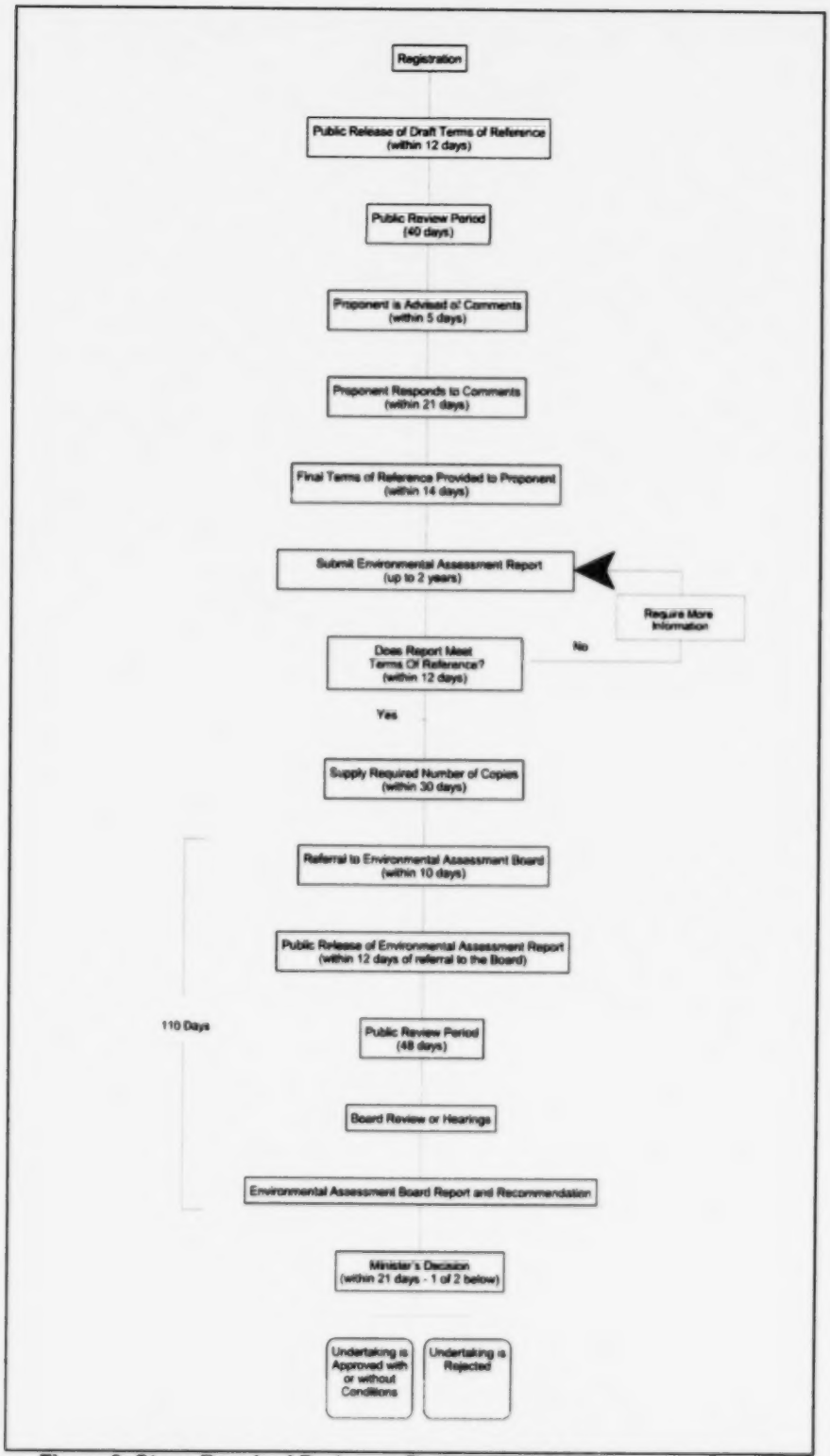
Registration
Public Release of Draft Terms of Reference (within 12 days)
Public Review Period (40 days)
Proponent is Advised of Comments (within 5 days)
Proponent Responds to Comments (within 21 days)
Final Terms of Reference Provided to Proponent (within 14 days)
Submit Environmental Assessment Report (up to 2 years)
Require More Information
Does Report Meet Terms Of Reference? (within 12 days)
No
Yes
Supply Required Number of Copies (within 30 days)
Referral to Environmental Assessment Board (within 10 days)
Public Release of Environmental Assessment Report (within 12 days of referral to the Board)
110 Days
Public Review Period (48 days)
Board Review or Hearings
Environmental Assessment Board Report and Recommendation
Minister's Decision (within 21 days - 1 of 2 below)
Undertaking is Approved with or without Conditions
Undertaking is Rejected

Figure 6: Steps Required During an Environmental Assessment - Class 2

Environmental Assessment Board

Once the EA report has been referred, the EA Board will publish an advertisement in two newspapers, indicating where copies of the report can be viewed and inviting the public to submit comments. Following the public review period, the Board may decide to hold a public hearing. The purpose of the hearing is to:

- receive submissions and comments from any interested party
- ask questions and seek answers respecting the environmental effects of an undertaking
- provide information which will assist the hearing panel in the preparation of its report and recommendations to the Minister.

How long is the public review period for an EA report?

There will be 48 day public review period once the EA report has been released to the public. Members of the public may phone, fax, email or submit written comments to the Environmental Assessment Board.

If the EA Board decides to hold public hearings, the hearings must be completed within the time frame that the Board has to submit a report and recommendation to the Minister.

Hearings are conducted in a structured manner to provide the public with an opportunity to express their concerns in a non-judicial, informal and non-adversarial format. The length of the hearing will depend on the complexity of the issues and the number of submissions received.

Is there any funding available for public participants?

There is no funding available for public participants during an environmental assessment.

Before a public hearing is to begin, the Board will publish two Notice of Hearings in advance. The notices will include the time, place and purpose or subject of the hearing. A pre-session conference may be held with participants to explain the rules of procedure for the hearing, identify the witnesses, define the issues and estimate the length of the hearing. Any person wishing to present information or ask questions during a hearing must contact the Administrator no less than 14 days before the hearing is to begin.

How long does the EA Board have to submit a report and recommendation to the Minister?

Once the EA report has been referred to the EA Board, the Board must submit a report and recommendation to the Minister within 110 days.

Hearings are conducted in public and usually follow an established pattern. All evidence that is given during the hearing must be done under oath or affirmation. The proponent will begin by describing the undertaking and addressing any issues that were raised in the EA report. Other participants that have an interest in the subject matter will have an opportunity to address questions to the proponent. Following the proponent's initial presentation, other participants will be able to voice their concerns, provide information to the Panel, and answer any questions from the proponent. Before the hearing is finished, the proponent will have the option to make a final presentation to the Hearing Panel in response to the matters raised at the hearing.

Participants can submit written arguments to the Hearing Panel within 14 days following the hearing.

Following the public hearings, the Board must submit a report and recommendation to the Minister for consideration when making a decision.

Minister's Decision

The Minister must decide one of the following: a) approval with conditions; b) approval without conditions; or c) undertaking is rejected.

What information will be considered by the Minister when making a decision for a Class 2 undertaking?

The Minister will consider the recommendation made by the EA Board when making a decision.

Approval with Conditions

The undertaking is approved subject to specific terms and conditions. The terms and conditions lay out the requirements of the proponent during construction, operation and reclamation if necessary, to monitor and mitigate any adverse effects or significant environmental effects.

Approval without Conditions

The undertaking is approved as proposed in the EA report.

Rejected

The undertaking is rejected and the proponent must not proceed any further with the plan as proposed. The Minister will provide the proponent with written reasons stating why the undertaking is rejected.

THE VALUE OF YOUR PARTICIPATION

New developments in Nova Scotia are needed to provide jobs and maintain our current standard of living. However, these developments should not compromise our environment, local economy or our communities. To help achieve sustainable development, the environmental assessment requires an extensive review for any development considered to cause significant effects to the environment, and the socio-economic and cultural well being of a community.

During a review, the Department of Environment and Labour encourages members of the public, various interest groups, First Nations and government officials to review the proposed planning information and provide valuable information and knowledge, which will make a proposed development more acceptable. Comments received during a review will be considered by the Minister when making a decision and when preparing conditions for approved projects.

Participation from all Nova Scotians is vital for environmental assessment to be successful. The people of Nova Scotia want to participate in the decision-making for proposed developments which affect their community. Environmental assessment provides them with that opportunity.

Where can I find more information about environmental assessment in Nova Scotia?

For more information, please refer to the various other guides to environmental assessment at the EA website at www.gov.ns.ca/enla/ess/ea, or email the EA Branch at EA@gov.ns.ca.

GLOSSARY

Please refer to the Environment Act, Environmental Assessment Regulations and the Environmental Assessment Board Regulations for complete definitions.

Administrator
A person appointed by the Minister for the purposes of the Act, and includes an acting Administrator.

Adverse Effect
An effect that impairs or damages the environment, including an adverse effect respecting the health of humans or the reasonable enjoyment of life or property.

Commence Work
To begin construction or site preparation for an undertaking or any part thereof.

Day
A calendar day.

Environment
The components of the earth and includes:

(i) air, land and water;
(ii) the layers of the atmosphere;
(iii) organic and inorganic matter and living organisms;
(iv) the interacting systems that include components referred to in subclauses (i) to (iii); and
(v) for the purposes of Part IV, the socio-economic, environmental health, cultural and other items referred to in the definition of environmental effect.

Environmental Assessment
A process by which the environmental effects of an undertaking are predicted and evaluated and a subsequent decision is made on the acceptability of the undertaking.

Environmental Assessment Report
A report that presents the results of an environmental assessment.

Environmental Effect
In respect of an undertaking:
(i) any change, whether positive or negative, that the undertaking may cause in the environment, including any effect on socio-economic conditions, on environmental health, physical and cultural heritage or on any structure, site or thing including those of historical, archaeological, paleontological or architectural significance, and
(ii) any change to the undertaking that may be caused by the environment,
whether the change occurs inside or outside the Province.

Environmental Site Assessment
The process by which an assessor seeks to determine whether a particular property is or may be subject to contamination.

Focus Report
A report that presents the results of an environmental assessment of a limited range of adverse effects that may be caused by the undertaking.

Hearing
A public hearing or review before the hearing panel.

Proponent
A person who:
(i) carries out or proposes to carry out an undertaking; or
(ii) is the owner or person having care, management or control of an undertaking.

Significant
With respect to an environmental effect, an adverse impact in the context of its magnitude, geographic extent, duration, frequency, degree of reversibility, possibility of occurrence or any combination of the foregoing.

Undertaking
An enterprise, activity, project, structure, work, or proposal and may include, in the opinion of the Minister, a policy, plan, or program that has as adverse effect or an environmental effect and may include, in the opinion of the Minister, a modification, extension, abandonment, demolition or rehabilitation, as the case may be, of an undertaking.

Wetland
Land that is commonly referred to as marshes, swamps, fens, bogs, and shallow water areas that are saturated with water long enough to promote wetland or aquatic processes which are indicated by poorly drained soil, vegetation and various kinds of biological activity which are adapted to a wet environment.

APPENDIX A
ENVIRONMENTAL ASSESSMENT LEGISLATION

The following legislation pertains to environmental assessment in Nova Scotia:

- Environment Act, S.N.S. 1994-95, c.1
  (www.gov.ns.ca/legi/legc/statutes/environ1.htm)
- Environmental Assessment Regulations, N.S. Reg. 71/2000
  (www.gov.ns.ca/just/regulations/REGS/envassmt.htm)
- Environmental Assessment Board Regulations, N.S. Reg. 27/95
  (www.gov.ns.ca/just/regulations/REGS/env2795.htm)

To obtain any of the above mentioned, please contact Service Nova Scotia and Municipal Relations by phone at (902) 424-7580, toll free at 1-800-526-6575, by fax at (902) 424-5599, by email at publications@gov.ns.ca or by mail at the following address:

Service Nova Scotia and Municipal Relations
PO Box 637
Halifax, NS
B3J 2T3

APPENDIX B
NOVA SCOTIA DEPARTMENT OF ENVIRONMENT AND LABOUR ADDRESSES

Main Office:
5151 Terminal Road, 5th Floor
Halifax, NS

Mailing Address:
PO Box 697
Halifax, NS B3J 2T8
Phone: (902) 424-2574
Fax: (902) 424-3571

Eastern Region
295 Charlotte Street
Sydney, NS

Mailing Address:
PO Box 714
Sydney, NS B1P 6H7
Phone: (902) 563-2100
Fax: (902) 563-0502

Environmental Monitoring & Compliance Division Offices:

Central Region
1595 Bedford Highway
Mezzanine Level, Suite 224
Bedford, NS B4A 3Y4
Phone: (902) 424-7773
Fax: (902) 424-0597

Northern Region
44 Inglis Street, 2nd Floor
Truro, NS

Mailing Address:
PO Box 824
Truro, NS B2N 5G6
Phone: (902) 893-5880
Fax: (902) 893-0282

Western Region
136 Exhibition Street
Kentville, NS B4N 4E5
Phone: (902) 679-6088
Fax: (902) 679-6186

APPENDIX C
CONTACT INFORMATION

Environmental Assessment Branch
Nova Scotia Environment and Labour
PO Box 697
Halifax, Nova Scotia
B3J 2T8
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Fax: (902) 424-0503
E-mail: EA@gov.ns.ca

Environmental Registry Coordinator
Nova Scotia Environment and Labour
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B3J 2T8
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Fax: (902) 424-3571

Nova Scotia Environment and Labour Library
5151 Terminal Road, 5th Floor
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